



JC14 Rec'd PCT/PTO 17 MAY 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Confirmation No. 6325  
Shigeo OHTA et al. : Attn: BOX PCT  
Serial No. 10/049,822 : Docket No. 2002\_0256A  
Filed February 19, 2002 :

A GENETICALLY ENGINEERED cDNA OF RAT  
bc1-x GENE AND AN IMPROVED PROTEIN  
[Corresponding to PCT/JP00/05502  
Filed August 17, 2000]

RESPONSE

Assistant Commissioner for Patents,  
Washington, DC 20231  
Sir:

This is responsive to the Notice to File Missing Parts dated May 7, 2002.

The Notice to File Missing Parts requires the filing of an executed Declaration.

However, an executed Declaration has been previously filed on April 1, 2002. Copies of the executed Declaration and cover letter are enclosed herewith. A copy of the PTO postcard receipt is also enclosed. It is noted that the PTO fee for filing the executed Declaration was also concurrently submitted on April 1, 2002.

Issuance of the Official Filing Receipt is accordingly requested.

Respectfully submitted,

Shigeo OHTA et al.

By \_\_\_\_\_  
Warren M. Cheek, Jr.  
Registration No. 33,367  
Attorney for Applicants

WMC/dlk  
Washington, D C 20006-1021

MAY 17 2002

ATTY DOCKET #: 2002\_0256A

Due Date: n/a

Confirmation No.

OUR REF: 2002\_0256A/WMC/00653

Applicant: Shigeo OHTA et al.

Serial No.: 10/049,822 Filing Date: February 19, 2002

Title: A GENETICALLY ENGINEERED cDNA OF RAT bcl-x GENE AND AN IMPROVED PROTEIN

Receipt of the following papers is acknowledged:

Fee Transmittal Form [in duplicate]

Reply to ~~Notification of Missing Requirement~~

Executed Declaration and Power of Attorney

Check in the amount of \$130.00

*Submission of  
Accepted*



Date: April 1, 2002

Attorney: WMC/lgs

[Check No. 4957]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :  
Shigeo OHTA et al. : Attn: BOX PCT  
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A GENETICALLY ENGINEERED  
cDNA OF RAT bcl-x GENE AND  
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Filed August 17, 2000]

**SUBMISSION OF EXECUTED DECLARATION**  
**UNDER 35 USC 371**

Assistant Commissioner for Patents,  
Washington, DC 20231

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

Sir:

Enclosed herewith is an executed Declaration for the above-identified application which was originally filed without an executed Declaration.

The Declaration identifies the application by the Title, name of the inventors, and filing date of the application.

Accordingly, it is submitted that the present application now complies with the requirements of 37 CFR 1.53(d). Enclosed herewith is the \$130.00 surcharge required by 37 CFR 1.16(e).

Early issuance of a filing receipt is therefore requested.

Respectfully submitted.

Shigeo OHTA et al.

By Warren M. Cheek, Jr.  
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April 1, 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PC1  
 United States Patent and Trademark Office  
 Washington, D.C., 20211  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY DOCKET NO.
10/049,822	Shigio Ohta	2002_0256A

INTERNATIONAL APPLICATION NO.
PCT/JP00/05502

I.A. FILING DATE	PRIORITY DATE
08/17/2000	08/17/1999

000513  
 WENDEROTH, LIND & PONACK, L.L.P.  
 2033 K STREET N. W.  
 SUITE 800  
 WASHINGTON, DC 20006-1021

CONFIRMATION NO. 6325

371 FORMALITIES LETTER



\*OC000000008020413\*

Date Mailed: 05/07/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments

RECEIVED  
 MAY 10 2002  
 WENDEROTH, LIND & PONACK

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THE PRIORITY DATE OR 20 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION WHICHEVER IS EARLIER.**

**ABANDONMENT**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a)

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- APPLICANT MUST PROVIDE:
  - An initial or substitute computer readable form (CRF) of the "Sequence Listing."

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

Telephone: (703) 305-2936

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/049,822	PCT/JP00/05502	2002_0256A